



EMPLOYMENT TRIBUNALS

London South Employment Tribunal

Claimant: Earl Sutherland
Respondent: London General Transport Services Limited

Judgment Remedy

1. Following the Tribunal's judgment on liability issued on 3 September 2024 finding the Claimant's dismissal to be unfair, the parties have now reached an agreement on the appropriate remedy.
2. I have been provided with a copy of the joint remedy schedule setting out the calculation of loss agreed between the parties. I note this includes:
 - a) A basic award of **£8,565** based on the Claimant's years of service.
 - b) Loss of earnings totalling **£26,534.40** net after mitigation.
 - c) Pension losses of **£1,612.88**.
 - d) **£450** for loss of statutory rights.
3. These figures produce a **total compensatory award of £28,597.28**. The parties have then applied the deductions determined by the Tribunal as follows:
 - a) **85% Polkey deduction**, reducing the award to **£4,289.59**.
 - b) **70% contributory fault deduction**, further reducing the award to **£1,286.88**.
4. Adding the basic award of £8,565 produces an overall **agreed compensation figure of £9,851.88**.
5. I have reviewed the remedy schedule and calculations and am satisfied they accurately reflect the Tribunal's earlier findings on *Polkey* and contributory fault reductions. **The parties are to be commended for reaching an agreed position on remedy**, avoiding the need for a further hearing.
6. Therefore, it is ADJUDGED that:
 - a) **The Respondent shall pay the Claimant compensation for unfair dismissal** in the sum of **£9,851.88**. The Claimant shall be required to account to HMRC for any tax or National Insurance which may be payable on that sum once it has been received.
 - b) **The compensation shall be paid by the Respondent within 14 days** of the date of this Judgment.

Judge M Aspinall
18th January 2025
Sent to the

**Parties on : 21st
January 2025**

**For the Tribunal
Office:**

P Wing